

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

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Jeffrey Erdmann

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Clemerson Epifanio SOARES

Case No.

Case: 2:22-mj-30351

Judge: Unassigned,

Filed: 08-21-2022 At 01:07 PM

USA v. CLEMERSON EPIFANIO SOARES
(CMP)(MLW)

CRIMINAL COMPLAINT


I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 20, 2022 in the county of St. Clair in theEastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*Title 8, United States Code, Section 1324(a)(1)(A)
(ii)

Knowing that an alien has entered in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

This criminal complaint is based on these facts:

On August 20, 2022, at or near Port Huron, Michigan in the Eastern District of Michigan, Southern Division, Clemerson Epifanio SOARES, knowingly transported and attempted to transport an alien, knowing or in reckless disregard of the fact that the alien had entered in the United States in violation of law.

☒ Continued on the attached sheet.

Complainant's signature

Jeffrey Erdmann, BPA

Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: August 21, 2022City and state: Detroit, MI

Judge's signature

Anthony P. Patti, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

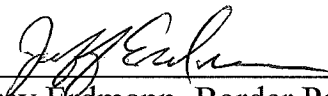
I, Jeffrey Erdmann, declare the following under penalty of perjury:

1. I am a United States Border Patrol Agent currently assigned to the DHS Alliance Human Smuggling and Trafficking Task Force. I have with been employed with the U.S. Border Patrol since October 2006. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Homeland Security Investigation agents, and record checks of law enforcement databases. I have also reviewed immigration records and system automated data relating to Clemerson SOARES.
2. The information outlined herein is provided for the limited purpose of establishing probable cause of a violation of 8 U.S.C. § 1324(a)(1)(A)(ii) (alien smuggling) and does not state all relevant facts pertaining to this investigation. Under 8 U.S.C. § 1324(a)(1)(A)(ii), whoever, knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law, commits a felony.

3. Clemerson SOARES is a native of Brazil and a 39-year-old naturalized United States citizen. The government has developed probable cause that, on August 20, 2022, SOARES unlawfully transported Luca de Morais BORGES and Julio Cezar FERREIRA NUNES, in furtherance of their unlawful entries into the United States.
4. The St. Clair River is a 40.5-mile-long river linking Lake Huron and Lake St. Clair. It is part of the international boundary between the United States and Canada, and frequent smuggling from Ontario, Canada to the Port Huron, Michigan, area takes place along the river. Lake Huron Krafft Road Beach is located just north of Lakeside Park in Port Huron is a known drop-off location for aliens who have been smuggled into the United States.
5. At approximately 2:54 p.m. on August 20, 2022, an agent with U.S. Customs and Border Patrol Air and Marine Operations observed a jet ski departing the Sarnia Bay Marina located in Sarnia, Ontario with three individuals aboard the vessel and subsequently cross the international boundary. Approximately fifteen minutes later, law enforcement agents observed the jet ski land at the Lake Huron Krafft Road Beach in Port Huron, Michigan. Two individuals disembarked the jet ski and walked inland on foot.


6. Law enforcement agents surveilled the two individuals and observed them enter a white 2022 Toyota Corolla being driven by an individual later determined to be SOARES. The vehicle was stopped near MacDonald and Gratiot Avenue in Port Huron. The two passengers were identified as Luca de Moraes BORGES and Julio Cezar FERREIRA NUNES, both citizens of Brazil with no immigration status in the United States.
7. Parenthetically, law enforcement agents observed a similar jet ski land at the Lake Huron Krafft Road Beach area and drop off two additional individuals during or around the same time as the traffic stop. Agents encountered those two individuals and confirmed that they had just unlawfully entered the United States.
8. Following the aforementioned vehicle stop, SOARES stated to law enforcement agents that he was paid \$1,000.00 per person to pick up and transport four illegal aliens to New York. SOARES stated that he has picked up and transported illegal aliens in the United States multiple times since the fall of 2021 in order to make additional money. SOARES admitted to picking up BORGES and FERREIRA NUNES and stated that he was supposed to pick up two others as well. SOARES also stated that the people he smuggles pay a Canadian smuggler who then pays him.

9. Based on the aforementioned facts, there is probable cause to believe that Clemerson SOARES, knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, transported, or moved or attempted to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law, all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).



Jeffrey Erdmann, Border Patrol
Agent
U.S. Border Patrol

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Anthony P. Patti
United States Magistrate
Judge

Dated: August 21, 2022